

Application No. 10/630,219
Second Preliminary Amendment

Docket No.: 03-002

REMARKS

Claims 1-28 were originally submitted in the present application. Claims 29-44 were added by a preliminary amendment filed August 16, 2004. Accordingly, claims 1-44 are presently pending.

In a telephone conversation between the undersigned and Examiner Malamund on March 20, 2006, Applicant's attorney was informed that restriction between various ones of the pending claims could be avoided by amending the claims so each recites that the leads set forth therein are for use in a human body. Accordingly, claims 1, 4, 7, 10, 22, 29, 32, 34, 36, 38, 40, and 42 have been amended to recite implantation into a human body or stimulation of a portion of a human body. Applicant has further amended claims 4, 7, 10, 29, 32, 34, 36, 38, 40, and 42 to more particularly claim the invention set forth therein. Specifically, these claims have been amended to recite an electrode. No new matter has been added by these amendments as this subject matter was present in the application as filed, see e.g., paragraph 0043.

In view of the above, Applicant believes that each of the pending claims should be examined on the merits and that a restriction requirement should not be issued. Moreover, Applicant believes that each of the pending claims is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 03-002 from which the undersigned is authorized to draw.

Dated: March 23, 2006

Respectfully submitted,

By R. Ross Viguet
R. Ross Viguet
Registration No.: 42,203
FULBRIGHT & JAWORSKI L.L.P.
2200 Ross Avenue, Suite 2800
Dallas, Texas 75201-2784
(214) 855-8185
(214) 855-8200 (Fax)
Attorney for Applicant